Signature

PTO/SB/21 (04-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE tion Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/698,025 Filing Date October 30, 2003 **FORM** First Named Inventor Carlos Schuler et al. Art Unit (to be used for all correspondence after initial filing) 3761 **Examiner Name** Unassigned Attorney Docket Number **Total Number of Pages in This Submission** 0150.00 **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): 25 Cited References Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Individual name Guy V ERAPEUTICS Signature Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Minna Cotter

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

PATENT

JUN 2 9 2004 STATES PATENT AND TRADEMARK OFFICE

In re the application of: Carlos Schuler et al.

Atty. Docket No.: 0150.00

Examiner: Unassigned

Application No.: 10/698,025

Filed: 10/30/2003

Title: INCREASED DOSAGE METERED

DOSE INHALER

DOSE INHALER

Atty. Docket No.: 0150.00

Examiner: Unassigned

Group Art Unit: 3761

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on

Signed: Minna Cattle

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56, §1.97 and §1.98

Assistant Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

The references listed in the attached Form PTO/SB/08A & B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

Copies of the references are enclosed, as required under 37 CFR §§1.98.

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

	\boxtimes			ling date of a national application; within three months of nal stage as set forth in section 1.491 in an international
		application; or before event occurs last);	e the ma	illing date of a first Office action on the merits (whicheve
	Please	charge the amount of	f <u>\$</u> to	Deposit Account 500348
\boxtimes		determined that any a such fees to Deposit		Il fees are due, the Commissioner is hereby authorized to t 50-0348.
				Respectfully submitted,
				NEKTAR THERAPEUTICS
Dated:	24	10 N 2004	Ву:	Guy V. Tucker Reg. No. 45,302

Form PTO/SB/08A (Modified)	Atty Docket No.:	Application No.:		
	0150.00	10/698,025		
Information Disclosure	Applicant:	Applicant:		
Statement By Applicant	Carlos	s Schuler et al.		
*	Filing Date:	Group:		

U.S. Patent Documents

10/30/2003

3761

(Use Several Sheets if Necessary)

Examiner					Sub-	Filing
Initial	Patent No.	Date	Patentee	Class	Class	Date
	3,635,379	01/18/1972	Angele			
	3,923,202	12/02/1975	Riccio			
	4,413,755	11/08/1983	Brunet			
	4,433,797	02/28/1984	Galia			
	4,577,784	03/25/1986	Brunet			
	4,819,834	04/11/1989	Thiel			
	4,892,232	01/09/1990	Martin			
	5,048,729	09/17/1991	Pritchard			
	5,062,423	11/05/1991	Matson et al.			-
	5,183,187	02/02/1993	Martin et al.			
	5,357,946	10/25/1994	Kee et al.			
	5,364,838	11/15/1994	Rubsamen			
	5,366,115	11/22/1994	Kersten et al.			
	5,662,271	09/02/1997	Weston et al.			
	6,012,450	01/11/2000	Rubsamen			
	6,260,549	07/17/2001	Sosiak			
	6,341,603	01/29/2002	Howlett			
	6,432,383	08/13/2002	Modi			_
	6,540,982	04/01/2003	Adjei et al.			
					-	

Examiner:	Date Considered:

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO/SB/08A (Modified)	Atty Docket No.:	Application No.:	
	0150.00	10/698,025	
Information Disclosure	Applicant:		
Statement By Applicant	Carlos Schuler et al.		
	Filing Date:	Group:	
(Use Several Sheets if Necessary)	10/30/2003	3761	

Foreign Patent or Published Foreign Patent Application

Examiner			Document	Publication	Country or		Sub-	Trans	slation
Initial		No.	No.	Date	Patent Office	Class	class	Yes	No
		Α	1212373	11/18/1970	GB				
		В	02/30498	04/18/2002	WO				
						_			
	_								
	_								
	_								
	_								
	_								
	_								
	\dashv								
	\dashv								
	\downarrow								

Examiner:	Date Considered:	٦
		- [

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO/SB/08B (Modified)	Atty Docket No.:	Application No.:	
	0150.00	10/698,025	
Information Disclosure	Applicant:		
Statement By Applicant	Carlos Schuler et al.		
	Filing Date:	Group:	
(Use Several Sheets if Necessary)	10/30/2003	3761	

Other Documents

Examiner	Т	T	
Initial		No.	Author Title Date Place (e.g. Januari) of Duklingting
Illitial	╄-	 	Author, Title, Date, Place (e.g. Journal) of Publication
}		C	DUNBAR, "Atomization Mechanisms of the Pressurized Metered Dose
	┖		Inhaler", Particulate Sci. and Tech., 15:253-271, 1997.
		D	DUNBAR ET AL., "An Experimental Investigation of the Spray Issued from a
	1		pMDI Using Laser Diagnostic Techniques", J. of Aerosol Med., Vol. 10, No. 4,
	L		pp. 351-368, 1997.
		E	DUNBAR ET AL., "Theoretical Investigation of the Spray from a Pressurized
			Metered-Dose Inhaler", Atomization and Sprays, Vol. 7, pp. 417-436, 1997.
		F	MOHSEN, "pMDI Aerosol Momentum Manipulation and Biotargeted
			Delivery", Respiratory Drug Delivery VIII, pp. 593-597, 2002.
	T	<u> </u>	
	H		
	\vdash		
· · · · · · · · · · · · · · · · · · ·	_		
	_		
	\vdash		
	\vdash		
	Н		
	Ш		

Examiner:	Date Considered:

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.